

EXHIBIT D

1.	On behalf of	Claimants
2.	Initials/Surname of witness	F Lucini
3.	Statement No	3
4.	Date	8 February 2019

Claim No. HC-2015-001324

IN THE HIGH COURT OF JUSTICE
BUSINESS AND PROPERTY COURTS
OF ENGLAND AND WALES
BUSINESS LIST (ChD)

B E T W E E N:

(1) ACL NETHERLANDS B.V. (AS SUCCESSOR TO AUTONOMY CORPORATION LIMITED)
(2) HEWLETT-PACKARD VISION BV
(3) AUTONOMY SYSTEMS LIMITED
(4) HEWLETT-PACKARD ENTERPRISE NEW JERSEY, INC.

Claimants

-and-

(1) MICHAEL RICHARD LYNCH
(2) SUSHOVAN TAREQUE HUSSAIN

Defendants

THIRD WITNESS STATEMENT OF FERNANDO LUCINI GONZALEZ-PARDO

I, FERNANDO LUCINI GONZALEZ-PARDO of 22 High St., West Wickham, Cambridge, CB21 4RY, STATE AS FOLLOWS:

1. I make this further Supplemental Witness Statement on behalf of the Claimants in connection with the above-named proceedings and in response to statements made on behalf of the First Defendant, Dr Lynch, in his second Witness Statement dated 16 November 2018 ("**Lynch 2**"), the Witness Statement of Alastair Martin dated 16 November 2018 ("**Martin 1**"), the Witness Statement of Eloy Avila dated 15 November 2018 ("**Avila 1**"), the Witness Statement of Andrew Kanter dated 15 November 2018 ("**Kanter 1**") and the Witness Statement of Poppy Gustafsson dated 15 November 2018 ("**Gustafsson 1**").
2. This is my third witness statement in these proceedings. I refer below to my first Witness Statement dated 14 September 2018 as "**Lucini 1**" and adopt the definitions used therein.
3. Except where it otherwise appears, the facts and matters to which I refer in this Supplemental Witness Statement are within my own knowledge and are true. Where facts

are from another source, I identify the source and I believe them to be true. Where the source of my understanding or information is from the Claimants' solicitors, I have identified this in the Supplemental Witness Statement but without any waiver of legal professional privilege.

4. I have not attached the documents to which I refer in this Supplemental Witness Statement. Instead I have provided references for those documents. I understand that the document references are the Document Production IDs allocated to the documents by the parties as part of the disclosure in the current proceedings. In certain instances, I have relied upon these documents to refresh my recollections and refer to the specific content of a number of them.

SPE

5. Mr Avila states that Ryan Kidder, Adam Tart and Evan Hammer worked on "*the SPE demo*" with me (see paragraph 41 of Avila 1). To be clear, Messrs Kidder, Tart and Hammer worked on the SPE demo that was built for VMS in late January/early February (some four months after SPE was launched), not the original SPE demo created by Dr Blanchflower and his team in Cambridge in Q3 2009.
6. Ms Gustafsson states that: "*Mr Lucini was drafting lists of potential customers for SPE structured database processing*" {D000073149} (see paragraph 115 of Gustafsson 1). That is incorrect. As the email makes clear, I compiled a list of Autonomy customers who were "*archiving applications/databases*" {D000073149}. This list has nothing to do with SPE. As Dr Lynch himself makes clear "*SPE was not a database archiving product*" (see paragraph 38 of Lynch 2).
7. Mr Martin states that he worked with me "*to ensure SEs were trained on SPE*" {D003472229} (see paragraph 27 of Martin 1). That is incorrect. Mr Martin is referring to the call that I held with all SEs from mainland Europe (on about three occasions to allow all SEs to attend once). SEs were asking "*what is SPE?*" following the press release on 16 September 2009 so Mr Martin asked me to conduct a call. The call was simply a sales pitch. I used the same SPE slides during the call that I used to present SPE externally e.g. at Cliveden House. I did not demonstrate any of the technology to the SEs and nor did I provide any training on SPE.
8. Mr Avila refers to the fact that "*SPE was of interest as to use cases for several customers, such as the United States FBI's Project NDex*" (see paragraph 44 of Avila 1). Given there was a press release on SPE and that it described SPE as "*our second fundamental technology*" {POS00134961}, it's not surprising that some customers found SPE "*of interest*". Indeed the very purpose of a press release is to drum up customer interest. However, as far as I am aware, the FBI did not use SPE in its NDex project {POS000044613}.

My role

9. Dr Lynch cannot recall us working together (see paragraph 5(b) of Lynch 2). I recall working with Dr Lynch on a number of occasions. For example:
 - (i) In relation to SPE (see paragraph 20 of Lucini 1);
 - (ii) In relation to a partnership with Addenbrooke's Hospital {D002464388}, {D002992951}, {D006345998}, {D002659015}, {D000765233};
 - (iii) In discussing Autonomy's new healthcare division (as explained at paragraph 6 of Lucini 1) and launching Autonomy's Meaning Based Healthcare Platform {D001755451}, {D001766797}. Dr Lynch said "*I am looking to you to make this happen*" and "*its down to you, can fer do it, yes he can!!! Pls drive the partners deal also*" {D001755451}; and
 - (iv) I presented to customers at Autonomy's Customer Innovation Forums with Dr Lynch and others {D003706342}, {D003706345}, {D009811425}, {D009811426}.
10. Dr Lynch also cannot recall me helping him prepare for and accompanying him to meetings with and presentations to senior executives of Autonomy's customers (see paragraph 5(b) of Lynch 2). I recall the following examples:
 - (i) A meeting with, and demonstration to, Ian Smith (then CEO of Reed Elsevier) and Julian Ashworth (then Head of Corporate Strategy at Reed Elsevier) {D010872782}, {D003654205}, {D006517918}, {D006517919}; and
 - (ii) A meeting with, and presentation to, Nick Fry (then CEO of Mercedes Grand Prix) and Ross Brawn (then Team Principle of Mercedes Grand Prix) {D006301312}, {D002258710}.
11. Dr Lynch and Mr Kanter state that I was not considered to be one of the "*stars*" in the organisation (see paragraph 227 of Kanter 1 and paragraph 5(c) of Lynch 2). I have been shown an email from Dr Lynch to himself which appears to set out candidates for a number of awards, for example CEO of the year, to be awarded during Autonomy's annual Sales Kick-Off event in Miami in early 2012. The email refers to "*...People in other groups who do amazing work with great attitudes*" and lists the following individuals: "*Sean Blanchflower Fernando Lucini Steve Chamberlain*" {MRL00018275}.
12. In January 2013 I was appointed Chief Technology Officer for HP Autonomy in place of Mr Avila. That title changed to CTO, Big Data in late 2014.

Correction


13. I have noticed that the reference in paragraph 57 of Lucini 1 to "July 2009" should in fact be a reference to "November 2009" (D003431417).

I believe that the facts stated in this Supplemental Witness Statement are true.

A handwritten signature in blue ink, appearing to read 'F. Lucini', written over a horizontal dotted line.

SIGNED

FERNANDO LUCINI GONZALEZ-PARDO

A handwritten date '8/02/2019' in blue ink, written over a horizontal dotted line.

DATED

- | | | |
|----|-----------------------------|-----------------|
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Defendants

**THIRD WITNESS STATEMENT OF FERNANDO
LUCINI GONZALEZ-PARDO**

Travers Smith LLP
10 Snow Hill
London EC1A 2AL
Tel: 020-7295 3000
Fax: 020-7295 3500
Ref: TPR/AAK/JJB/SEL

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INDEX OF EXHIBITS TO THE
THIRD WITNESS STATEMENT OF FERNANDO LUCINI GONZALEZ-PARDO

	Paragraph	Production ID
1	6	D000073149
2	7	D003472229
3	8	POS00134961
4		POS000044613
5	9(ii)	D002464388
6		D002992951
7		D006345998
8		D002659015

9		D000765233
10	9(iii)	D001755451
11		D001766797
12		D001755451
13	9(iv)	D003706342
14		D003706345
15		D009811425
16		D009811426
17	10(i)	D010872782
18		D003654205
19		D006517918
20		D006517919
21	10(ii)	D006301312
22		D002258710
23	11	MRL00018275
24	13	D003431417